

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Koichi Araki
Serial No. : 10/514,430
For : Pesticidal Pyridinecarboxamide Derivatives
Filing Date : June 10, 2005
Examiner : Davis, Zinna Northington
Art Unit : 1625
Confirmation No. : 4362

3239 Satellite Blvd., Duluth, Georgia 30096-4640
745 Fifth Avenue, New York, NY 10151

**Filed via EFS-WEB
on March 24, 2009**

**PETITION UNDER 37 C.F.R. § 1.137(b) TO REVIVE
AN UNINTENTIONALLY ABANDONED APPLICATION**

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is a Petition under 37 C.F.R. § 1.137(b) to revive the above-identified application which was unintentionally abandoned as a result of a failure to timely pay the required issue fee and publication fee. A Notice of Allowance was mailed for this application on September 23, 2008 and A Notice of Abandonment was mailed on January 21, 2009. In fact, the undersigned only became aware of the abandoned status of this application today.

The failure to timely pay the issue fee and the publication fee by December 23, 2008 was unintentional.

The entire delay in paying the issue fee and the publication fee was also unintentional.

It is respectfully requested that this application be revived due to unintentional abandonment. This petition to revive has been prepared and filed without intentional delay. Applicants hereby petition for revival of this application.

Applicants submit the following, as required by Section 1.137(b):

(1) A request to for the Commissioner to charge \$1620.00 for the petition fee for revival of this application accompanies this Petition;

(2) The issue fee of \$1440 and the publication fees of \$300; and

(3) The undersigned hereby states that the entire delay in filing the issue fee and the publication fee from the due date of December 23, 2008 until the filing of this petition was unintentional.

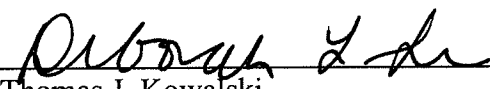
(4) No terminal disclaimer is required pursuant to Section 1.137(d).

It is submitted that the requirements of Section 1.137(b) have been met, and that this is a grantable petition. Favorable consideration of this petition, acceptance of the issue fee and issuance of this application as a patent are requested.

The Commissioner is authorized to charge any fee occasioned by this paper or any other fee required to Deposit Account No. 50-0320.

Respectfully submitted,
MERIAL LTD.
FROMMER LAWRENCE & HAUG LLP

By:


Thomas J. Kowalski
Reg. No. 32,147
Deborah L. Lu
Reg. No. 50,940
Tel. No. (212) 588-0800
Fax No. (212) 588-0500